

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRIAN SOLES, on behalf of himself :	
and those similarly situated, :	4:13-cv-29
Plaintiffs, :	
:	Hon. John E. Jones III
v. :	
:	
ZARTMAN CONSTRUCTION, :	Hon. Thomas M. Blewitt
INC., <i>et al.</i> , :	
Defendants. :	

ORDER

March 25, 2013

1. The Report and Recommendation of Magistrate Judge Blewitt (Doc. 9) is **ADOPTED** and Defendant Reich's Motion to Dismiss (Doc. 8) is **GRANTED**.¹
2. Defendant Reich is **DISMISSED** as a Defendant without prejudice to the Plaintiff filing for leave to amend the complaint to add Defendant Reich as a Defendant in the event discovery reveals facts supporting a claim against him.
3. This matter is **REMANDED** to Magistrate Judge Blewitt for all further pre-trial management.

¹ We note that the Plaintiff has affirmatively consented to the granting of Defendant Reich's Motion, but requests that Defendant Reich be dismissed without prejudice. (Doc. 10).

s/ John E. Jones III
John E. Jones III
United States District Judge